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Before the
Federal Communications Commission
Washington, D.C.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of
Amendment of Parts 2 and 25 of the
Commission's Rules to Allocate the
13.75-14.0 GHz Band to the Fixed-
Satellite Service)
) ET Docket No. 96-20
) RM-8638
)

COMMENTS OF COMSAT WORLD SYSTEMS

COMSAT Corporation, through its COMSAT World Systems business unit ("COMSAT"), herein submits its Comments in support of the Federal Communications Commission's Notice of Proposed Rulemaking ("Notice"), which proposes to amend Part 2 and 25 of the Commission's Rules to allocate the 13.75-14.0 GHz band to the Fixed-Satellite Service ("FSS").

COMSAT, which provides international satellite services operating in the FSS radio frequency spectrum bands via the INTELSAT system, is a party of interest in this proceeding. COMSAT filed Comments in support of the Petition for Rulemaking filed by Hughes Communications Galaxy, Inc. ("HCG") on March 21, 1995.¹

COMSAT fully supports the need for the new FSS allocation at 13.75-14.0 GHz. We believe that the proposed changes to the Commission's Rules are necessary and appropriate to reflect the decision taken at the WARC-92, as advocated by the U.S.

¹See, Comments of COMSAT filed June 1, 1995.

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delegation, to make the 13.75-14.0 GHz uplink band available on a worldwide primary basis to serve expanding global markets for new satellite services. The proposed changes will also correct the imbalance of 500 MHz between the amount of spectrum allocated for FSS uplinks and the spectrum bands currently allocated for FSS downlinks.²

The Commission notes in paragraphs four and five of the Notice that the studies called for in Resolution 112 at WARC-92 have been completed by the ITU-R Sector Task Groups 4/4 and 7/3, with the conclusion that the spectrum sharing criteria in international footnotes 855A and 855B to the International Table of Frequency Allocations are appropriate and should be adopted on a permanent basis. The Commission further notes that the results have been supported by the interested parties within the United States and that the U.S. Proposals to WRC-95 included these recommendations in a slightly modified form. In this regard, COMSAT supports the proposal to adopt the U.S. Proposal to WRC-95 which specify international footnotes 855A, 855B and 855 C as the final sharing criteria between FSS and other operations in this band.³ Specifically, footnote 855A provides sharing

²See, The United States Delegation Report on the 1992 World Administrative Radio Conference, released July 1992, Department of State Publication 9988 at 31.

³See, Notice at para. 10. We note that in the Notice at n.3, the Commission indicates that it is reviewing the Final Acts of WRC-95 and will consider the international footnotes adopted for the 13.75-14.0 GHz band later in this proceeding. In this regard, we suggest that the Commission should use the wording of footnotes MOD S5.502 (replaces 855A), MOD S5.503 (replaces part of 855B) and ADD S5.503A (replaces part of 855B), as contained in the Final Acts of WRC-95 at 175-176. These would substitute for

criteria between the radiolocation and FSS; footnote 855B provides protection for the existing Tracking and Data Relay Satellite System ("TDRSS") operated by NASA; and footnote 855C provides active sensors with interference protection from FSS uplinks for the transition period during which such sensors will migrate to other bands. However, in paragraph eleven of the Notice, the Commission proposes a more stringent requirement than that contained in modified international footnote 855B contained in the U.S. Proposals to WRC-95.⁴ Specifically, the Commission would protect TDRSS operations in the entire band segment 13.75-13.8 GHz and not just the six megahertz band from 13.772-13.778 GHz specified in modified international footnote 855B. In this regard, the Commission would require that all FSS applications that request the use of any frequency in the 13.75-13.8 band segment be coordinated through the Government/non-Government Frequency Assignment Subcommittee ("FAS") process at NTIA to ensure that interference to TDRSS is minimized.

We also note that the more stringent requirement to protect the entire band segment at 13.75-13.78 GHz will apply only in the United States and will not be binding on operations in other countries. This means that TDRSS would not have the protection in the extended band unless bilateral agreements are reached with

the international footnotes now in Appendix A, page 3 of the Notice.

⁴See, Addendum 12 to Document 9-E, United States of America Proposals for the Work of the Conference, Plenary Meeting of WRC-95, September 1, 1995.

other countries that may have operations in this band.

Therefore, it appears to us that the longer term solution to ensure protection from interference and provide more operational flexibility for TDRSS is for NASA to continue to take steps to implement its planned move to the higher frequency band at 25.25-27.5 GHz. The U.S. delegation to WARC-92 was successful in obtaining this allocation to support wideband space-to-space links for space operations such as TDRSS.⁵

In response, COMSAT recognizes the critical importance of the TDRSS to the U.S. space program and the need to protect this operation. While we agree that the FAS process proposed by the Commission would serve this purpose, we request that steps also be taken to ensure that this process will not unduly delay FSS applications to use this band which comply with the criteria to protect TDRSS operations. Immediate processing of any FSS applications filed with the Commission through the FAS at NTIA, with some reasonable timeframe for response, would help avoid any delays. The FSS applicant should also be included in any discussions necessary to assess the potential for interference and to clarify operating arrangements to avoid harmful interference.

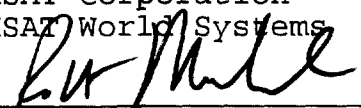
COMSAT prefers that the new FSS allocation at 13.75-

⁵See, Report of the Delegation of the U.S. to the 1992 World Administrative Radiocommunication Conference of the ITU, Department of State Publication 9988 at 32; see also, U.S. Congress, Office of Technology Assessment, The 1992 WARC: Technology and Policy Implications, OTA-TCT-549 (Washington, D.C. U.S. GPO, May 1993 at 137-138.

14.0 GHz be available only for use by international systems, considering the growing demand for worldwide satellite services and the need to correct the imbalance between the uplink and downlink spectrum available to FSS. However, we can accept the Commission's proposal to make this band available in the United States for both international and domestic services.⁶ We also concur with the Commission that it is not necessary to amend Part 90 of the Commission Rules to implement use of the 13.75-14.0 GHz band for FSS in the United States.⁷

In view of the above and for the reasons contained in the Notice, COMSAT fully supports adoption of the rules as proposed by the Commission in this proceeding. We believe that the public interest will be served by adoption of these rules which will provide increased capability to bring new commercial telecommunication services via satellite to U.S. consumers.

Respectfully submitted,
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⁶See, Notice at para. 9.

⁷See, id. at para. 13.

CERTIFICATE OF SERVICE

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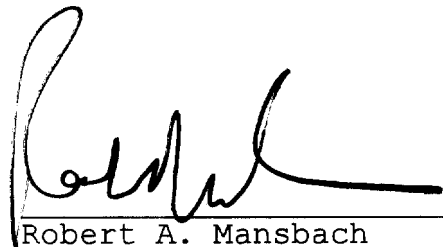
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